THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :17708 of 2007

DATED:21-08-2007

BETWEEN:

R.Prabhakar .....
PETITIONER

AND

The SHO PS, Shamshabad and three others
.....RESPONDENTS

ORDER:

Petitioner seeks a writ of mandamus declaring the action of respondents 1 and 2 in interfering with the peaceful possession of the land of the petitioner in Sy.No.725/6, Shamshabad village and madnal, Ranga Reddy District, as illegal and arbitrary.

It is the case of the petitioner that he, his brothers and other family members are absolute owners and possessors of land in Sy.No.725/6, Shamshabad village and madnal, Ranga Reddy District and the suit filed by him and 7 others for partition of the said property into eight shares and to declare the sale deeds, dated 10.08.1998 relating to the said property as null and void and inoperative and not binding on the plaintiff has been decreed by judgment, dated 13.02.2004 in O.S.No.497 of 2002 on the file of the I Additional Senior Civil Judge, Ranga Reddy District at L.B.Nagar, Hyderabad and the sale deeds have been cancelled and the petitioner and other decree-holders are in peaceful possession and enjoyment of the same.

It is stated that while so, one T.Mallesham and others filed O.S.No.2728 of 2006 on the file of the I Additional Senior Civil Judge, Ranga Reddy and obtained ad-interim injunction against them and under the guise of injunction order, they are trying to

interfere with the peaceful possession and enjoyment of the petitioner and his family members over the said land in question. It is stated that the said Mallesham is trying to dispossess the petitioner with the help of local police officers and therefore, the petitioner made a representation before the Commissioner of Police and the Director General of Police, Hyderabad on 02.07.2007 to restrain the Sub-Inspector and Circle Inspector of Police, Shamshabad from aiding and abetting the land grabbers by name T.Mallesham and others for grabbing the land of the petitioner.

The only grievance of the petitioner is that the said representation has not been considered and disposed of by the police.

In view of the aforesaid facts and circumstances of the case, I am of the opinion that it is just and proper to direct the respondents 3 and 4 to consider and dispose of the said representation of the petitioner by taking appropriate action in accordance with law.

Accordingly, the writ petition is disposed of directing the respondents 3 and 4 to consider and dispose of the said representation of the petitioner, dated 02.07.2007, as expeditiously as possible, in accordance with law. No costs.

_____

V.ESWARAIAH,J

Date:21.08.2007
ccm